

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

PERSONALIZED MEDIA
COMMUNICATIONS, LLC,

Plaintiff,

V.

APPLE INC.

Defendant.

Case No. 2:15-cv-01366-JRG-RSP

APPLE INC.'S NOTICE RELATING TO STATUS OF INTER PARTES REVIEW PROCEEDINGS

Defendant Apple Inc. submits this Notice to update the Court on the status of the pending *inter partes* review proceedings related to the two asserted patents, U.S. Patent Nos. 8,191,091 (the '091 patent) and 8,559,635 (the '635 patent).

The Court previously stayed this action pending resolution of three *inter partes* reviews (IPRs) instituted by the Patent Trial and Appeal Board (PTAB) that, collectively, challenged the validity of all asserted claims at issue in this litigation. Dkt. 355. As Apple previously informed the Court, on September 19, 2017, the PTAB issued Final Written Decisions in two of the three IPRs (IPR2016-00754, IPR2016-00755), finding all claims at issue in those IPRs to be unpatentable. Dkt. 359. On February 15, 2018, the PTAB issued a Final Written Decision in the third IPR, IPR2016-01520 ('635 patent)). In IPR2016-01520, the PTAB found that Apple had shown that claims 3, 18, 20, 32, and 33 of the '635 patent are unpatentable. Ex. A, IPR2016-01520, Final Written Decision.

Collectively, the Final Written Decisions in IPR2016-00754, IPR2016-00755, and IPR2016-01520 have invalidated all asserted claims at issue in this litigation. PMC has thus far filed requests for rehearing, which are pending, in IPR2016-00754 and IPR2016-00755. Apple will alert the Court of any further developments at the appropriate time.

Dated: February 22, 2018

Respectfully submitted,

/s/ Melissa R. Smith

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Attorneys for Defendant Apple Inc.

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served this 22nd day of February, 2018, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ Melissa R. Smith
Melissa R. Smith